

Decision No. 78965

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the CITY OF HAYWARD  
for an order authorizing construction  
of a crossing at separated grades  
between Winton Avenue and the track  
of the Southern Pacific Railroad.

} Application No. 52756  
(Filed July 16, 1971)

O R D E R

City of Hayward is hereby authorized to construct a crossing at separated grades and a temporary detour road of Winton Avenue over the tracks of the Southern Pacific Transportation Company, in Hayward, Alameda County, at the location and substantially as shown by plans (Exhibits C and E) attached to the application, to be identified as Crossings Nos. D-20.6-A and D-20.61. Construction and maintenance costs shall be borne in accordance with an agreement to be entered into between the parties relative thereto, and copy of said agreement, together with plans of said crossing approved by the Southern Pacific Transportation Company, shall be filed with the Commission prior to commencing construction. Should the parties fail to agree, the Commission will apportion the cost of construction and maintenance by further order.

Grade separation for Winton Avenue has been established as Priority No. 4 by Decision No. 78134 in Case No. 9095, pursuant to Statutes 1957, Chapter 2091, amended Statutes 1959, Chapter 1763.

Clearances shall be in accordance with General Order No. 26-D, except that during the period of construction a clearance of not less than 21'0" above top of rail is authorized and Southern Pacific Transportation Company is authorized to operate with such reduced overhead clearances provided that instructions are issued by the railroad and filed with the Commission forbidding employees to ride on tops of cars.

The applicant shall notify the Commission and Southern Pacific Transportation Company at least 15 but not more than 30 days in advance of the date when the temporary impaired clearances will be created.

Walkway areas adjacent to Southern Pacific Transportation Company tracks shall be maintained free of obstructions and shall promptly be restored to their original condition in the event of damage during construction.

Width of the temporary grade crossing shall be not less than 25 feet and grades of approach not greater than two percent. Construction shall be equal or superior to Standard No. 2 of General Order No. 72. Protection shall be two Standard No. 8 crossing signals (General Order No. 75-B) supplemented with automatic gate arms. The temporary grade crossing shall not be open to public use and traffic until the automatic protection ordered herein has been installed and placed in service.

Upon opening of the temporary detour crossing to traffic existing Winton Avenue, Grade Crossing No. D-20.6, shall be closed to public use. Upon opening of the Winton Avenue separation structure, Crossing No. D-20.6-A, authorized herein, the temporary Grade Crossing No. D-20.61 shall be abandoned and closed to public use.

Within thirty days after completion pursuant to this order applicant shall so advise the Commission in writing. This authorization shall expire if not exercised within three years unless time be extended or if conditions are not complied with. The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 27<sup>th</sup> day of JULY, 1971.

William L. ... Chairman

[Signature]

[Signature]

Commissioners

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner D. W. Holmes, being necessarily absent, did not participate in the disposition of this proceeding.